THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21206 of 2006

Dated:22.01.2007

Between:

Kallakonda Subba Rao.

…Petitioner

and

The Secretary, and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21206 of 2006

ORDER:

The petitioner statedly occupied land admeasuring Ac.0.01½ cents in Katuru Gram Panchayat area, thirty years ago. He constructed house thereon for residential purpose. The same was assessed to property tax with Door No.4-71 by the Gram Panchayat, which the petitioner is statedly paying regularly. Unfortunately, due to heavy rains in August 2006, the thatched house collapsed, and when petitioner was taking steps for reconstructing it, the first respondent appears to have orally directed him not to make any constructions. The petitioner, therefore, made a representation on 12.09.2006 requesting for permission to construct/reconstruct the thatched house in the same land, which was under occupation of the petitioner. As the same was not disposed of, the present Writ Petition is filed.

Learned Counsel for the petitioner submits that the petitioner is an elderly person having no other land except the land where he had been living for over three decades, and if he is not permitted to reconstruct the thatched house, he would be homeless. He also submits that the representation made by the petitioner is still pending before the first respondent.

After getting instructions, the learned Standing Counsel for Gram Panchayat submits that the representation is still pending before the first respondent. Therefore, instead of keeping the Writ Petition pending, this Writ Petition is disposed of directing the first respondent to consider the request of the petitioner for reconstruction of the house in the same house site where earlier Door No.4-71 was constructed, and dispose of the representation, dated 12.09.2006, within a period of ten days from the date of receipt of a copy of this order. If the petitioner is aggrieved by any order that may be passed by

the first respondent, he may approach the District Panchayat Officer by way of an appeal under Section 128(2) of the Andhra Pradesh Panchayat Raj Act, 1994. No costs.

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(V.V.S.RAO, J)

22.01.2007

Note: Issue C.C by 24.01.2007.

B/o.

vs